

REMARKS

Favorable reconsideration and allowance of the subject application are respectfully requested. Claims 26-34 and 36-122 are pending in the present application, with claims 26, 56, 70, 77, 84, 88, 115, and 119, being independent. Claim 35 has been cancelled by this amendment without prejudice or disclaimer to the subject matter contained therein.

Allowable Subject Matter

Applicant notes with appreciation the Examiner's indication on pages 6-11 of the outstanding Office Action that claims 56-69, 70-76, 84-87, and 115-122 are allowed and that claims 82, 83, 91, 92, 96-102, and 105-108 would be allowable if rewritten in independent form. For at least the reasons detailed below, all pending claims should be considered allowable.

Claim Rejections under 35 U.S.C. §112

The Examiner rejected claims 26-55 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

Applicant has amended claim 26 in an effort to clarify the claim and in an effort to overcome the rejection. Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejections under 35 U.S.C. §103

The Examiner rejected: claims 77-81 under 35 U.S.C. §103(a) as being unpatentable over Spiesberger et al. (US 4,031,419) in view of Sakamoto (US 6,741,006); and claims 88-90, 93-95, 103-104, 109-112 under 35 U.S.C. §103(a) as being unpatentable over Spiesberger et al. in view of Horst et al. (US 6,717,314). These rejections are respectfully traversed insofar as they pertain to the presently pending claims.

Regarding claims 77-81, Applicant respectfully submits that the combination of Spiesberger et al. and Sakamoto fails to teach or suggest at least a motor having exactly five pole teeth.

The Examiner alleges on page 4 of the Office Action that Spiesberger et al. teaches a motor having 5 pole teeth and refers to teeth 2-7, which are shown in Fig. 1 of Spiesberger et al. Referring to Fig. 1, it can be clearly seen that there are exactly 6 pole teeth (2, 3, 4, 5, 6, 7) and not exactly 5 pole teeth. Thus, the combination of the cited art cannot substantiate a *prima facie* case of obviousness.

Regarding claims 88-90, 93-95, 103-104, 109-112, Applicants respectfully submit that the cited art, namely Horst et al. is not prior art under any section of 35 U.S.C. §102.

The earliest effective filing date of Horst et al. is August 28, 2002, whereas the present application has an effective filing

date of July 21, 2001. Thus, Horst et al. cannot be considered as prior art.

Accordingly, in view of the above discussion, Applicant respectfully requests that the Examiner withdraw the rejections and further the application to issue.

Conclusion

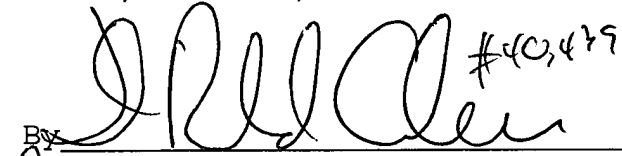
In view of the above amendments and remarks, this application appears to be in condition for allowance and the Examiner is, therefore, requested to reexamine the application and pass the claims to issue.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Martin R. Geissler, Reg. No. 51,011, at (703) 205-8000, which is located in the Washington, DC area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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